FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.169 OF 2007
IN
CRIMINAL APPLICATION NO.2977 OF 2005

[Shiva Sargappa Kandarkar Vs. State.]

Office Notes, office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	: Court's or Judge's orders

Ms.Sunita Devgond i/b. Imtiyaz Patel, Adv. for the Applicant.

Mr.S.S.Pednekar, APP, for the State.

CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 18th April, 2007.

P.C.:-

1. Heard both sides.

2. While granting bail to the applicant a condition was imposed on the applicant that he shall not enter Mumbai. The applicant is seeking relaxation of the said condition.

3. It is stated that the applicant is residing in Karnataka and it is very difficult for him to come from Karnataka to attend the trial.

4. On the other hand, the learned APP has submitted that there are 300 witnesses who are to be examined. The said witnesses reside in Mumbai. 23 persons died in the incident in which the applicant has been involved. Hence, he has submitted that the prosecution has strong objection to relax the said condition.

5. Looking to all the facts of this case, I am not inclined to grant relaxation of the said condition, at this stage. However, liberty is granted to the applicant to prefer fresh application for relaxation of the said condition, as and when the trial begins.

6. Application is disposed of accordingly.

[SMT.V.K.TAHILRAMANI,J.]